

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TARZ MITCHELL,

Plaintiff,

vs.

HOWARD SKOLNIK, *et al.*,

Defendant.

Case No. 2:10-cv-01339-JCM-GWF

**SCHEDULING ORDER FOR
CIVIL RIGHTS ACTIONS FILED
BY INCARCERATED PRO SE
PLAINTIFF**

Pursuant to Federal Rules of Civil Procedure (Fed. R. Civ. P.) 16(b) and Local Rule (LR) 16-1 this Scheduling Order shall be filed and served upon the parties or their counsel, if there is counsel of record, when the first defendant answers or otherwise appears in this action. When the term “counsel” is used in this Scheduling Order, it shall include any and all parties appearing pro se.

IT IS HEREBY ORDERED:

1. Any and all pleadings that may be brought under Fed. R. Civ. P. 13 & 14, or joining additional parties under Fed. R. Civ. P. 19 & 20, shall be filed within **sixty (60) days** from the date of this Order: **April 17, 2012**. Any party causing additional parties to be joined or brought into this action shall contemporaneously therewith cause a copy of this Order to be served upon the new party or parties.

2. Amendments to pleadings as provided for under Fed. R. Civ. P. 15, if the same are allowed without leave of court, or motions for leave to amend, shall comply with LR 15-1 and shall be filed and served within **sixty (60) days** from the date of this Order: **April 17, 2012**.

3. Any discovery motions shall be filed and served no later than **eighty (80) days** from the date of this Order: **May 7, 2012**.

1 4. Motions for summary judgment shall comply with the requirements of LR 56-1 and
2 shall be filed and served no later than **thirty (30) days after the close of discovery: June 18,**
3 **2012.**

4 5. Any motion filed beyond the time limit fixed by this Scheduling Order shall be
5 stricken, unless the Court grants an exception for good cause shown.

6 6. **DISCOVERY:** Pursuant to LR 16-1(b), discovery in this action shall be
7 completed on or before **ninety (90) days** from the date of this Order: **May 17, 2012.**

8 7. **EXTENSIONS OF DISCOVERY:** Pursuant to LR 26-4, an extension of the
9 discovery deadline will not be allowed without a showing of good cause. All motions or
10 stipulations to extend discovery shall be received by the Court at least **twenty (20) days** prior to
11 the date fixed for completion of discovery by this Scheduling Order, or at least **twenty (20) days**
12 prior to this expiration of any extension thereof that may have been approved by the Court. The
13 motion or stipulation shall include:

14 (a) A statement specifying the discovery completed by the parties of the date of the
15 motion or stipulation;

16 (b) A specific description of the discovery which remains to be completed;

17 (c) The reasons why such remaining discovery was not completed within the time limit
18 of the existing discovery deadline; and

19 (d) A proposed schedule for the completion of all remaining discovery.

20 8. In the event that the Federal Rules of Civil Procedure provide for any shorter time
21 periods for the filing of motions or pleadings, said shorter time limits shall apply notwithstanding
22 the time limits set forth in this Scheduling Order. Pursuant to the authority given to the Court in
23 Fed. R. Civ. P. 16(b), motions for summary judgment under Fed. R. Civ. P. 56 must be filed no
24 later than the time provided in paragraph 4 of this Order.

25 9. **PRETRIAL:** Pursuant to LR 16-3(a), the Clerk shall issue a Pretrial Notice Order
26 five (5) days past the date for filing motions for summary judgment or all motions for summary
27 judgment are denied, whichever is later.

28 ...

1 10. Any party who desires an amendment to this Scheduling Order shall, within **sixty**
2 **(60) days** hereof, file and serve a statement of proposed amendments and the reasons therefor.
3 Each other party shall have **fifteen (15) days** within which to file and serve a response thereto.
4 After expiration of the 60-day period, any amendment of this Scheduling Order shall be granted
5 only upon motion and good cause shown.

6 11. In all cases where a party or counsel is required to effect service hereunder, a
7 certificate of such service shall be filed forthwith with the Clerk of the Court.

8 DATED this 16 th day of February, 2012.

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11 GEORGE FOLEY, JR.
12 United States Magistrate Judge
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